

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2016 SEP 27 PM 1:13

DEPUTY CLERK

N7

ZAK DABBAGUI  
Plaintiff

v.

Halliburton Energy Service  
Defendant

3 - 16 CV 2739 - B

Civil Action No.

Please see Attached documents

\* Attach additional pages as needed.

Date 09/27/2016  
Signature ZAK DABBAGUI  
Print Name ZAK DABBAGUI  
Address 7922 N. Glen Dr.  
City, State, Zip Irving, TX, 75025  
Telephone 469-215-6935

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Oklahoma City Area Office**



215 Dean A. McGee Ave, Suite 524  
Oklahoma City, OK 73102  
Oklahoma City Direct Dial: (405) 231-4911  
TTY (405) 231-5745  
FAX (405) 231-4140

June 27, 2016

Mr. Zak Dabbagui  
2433 Sky Harbor Dr.  
Plano, Texas 75025

**Re: Zak Dabbagui vs. Halliburton  
EEOC Charge No. 564-2016-00002**

Dear Mr. Dabbagui:

We have completed a careful review of the charge of employment discrimination (564-2016-00002) you filed against Halliburton. Our review included an assessment of all the information offered by the employer and you.

As a result of our review of the matter, we made a decision to dismiss the charge. Based on our review of the available evidence, we do not believe it can be established that the employer has discriminated against you based on your religion, color, national origin, retaliation or for any other reasons prohibited by the laws we enforce. Rather, the available evidence indicates that you had a history of sending aggressive, accusatory emails to coworkers and managers. In July of 2015, you demonstrated your inability to work well with coworkers continued. In particular, coworker Bruce Lucas politely asked you to include him on work-related emails: "*Zak, please copy me on relevant project emails such as this.*" Instead, you responded, including copying multiple people on the recipient list, and questioning Lucas' qualifications. You were coached about your attitude but your behavior failed to improve. When you returned to Brazil after the July 2015 incident, you were expected to continue to work closely with Bruce Lucas, but failed to do so. All the information provided by you seemed to be of petty workplace grievances. Based on the investigation the decision not to return you to the project in Brazil were made for several reasons as I pointed out to you several days ago. First, the stage of the project did not require your presence any longer. The technical portion of the project was largely completed, plus your inability to work well with others made you a poor fit returning to Brazil for the remainder of the project, this based on the project manager. In addition, you had claimed it was a hostile work environment so it would have been inappropriate for you to go back to it. Employee Relations also investigated your claims and could not substantiate any allegations of harassment or retaliation based on national origin, color, religion, or any other protected status. We have not been able to corroborate your many claims of a conspiracy among your supervisors and team members to sabotage your work or to tell others not to cooperate or listen to you. In fact, what we have discovered is that you have difficulty responding appropriately to constructive criticisms of your work and regarding your

communications or interpersonal relationships with others. You remain employed in your position, and no adverse actions have been taken against you because of your complaints of harassment or your EEOC charge. We interviewed the list of witnesses you gave us, and we did not gather any supporting evidence to your allegations. Regarding, your allegation of the "Terrorist" sign on your door you identified it and it has no longer happened again and you were not able to identify who did it. Your allegation that "a drawing was put up in the hallway of a bearded man wearing stereotypical Arab clothing and the word Taliban written above him," was slightly exaggerated by you. The investigation revealed that an individual with an office near you did have a political cartoon clipped from the newspaper from the early 2000s in his workspace not in a hallway. The cartoon predated your employment and was not directed towards you. However, once it was identified it was taken down and you no longer office near this employee. We decline to take further action on the charge because there are no indications that further investigation or other use of our limited resources will result in sufficient evidence to establish a violation.

Your charge will be dismissed; you are now receiving a Dismissal and Notice of Rights to Sue. This dismissal notice will describe your right to pursue the matter by filing a lawsuit in federal court within 90 days of your receipt of the notice with your attorney.

Sincerely,



Rafael Tirado

FEDERAL INVESTIGATOR

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Zak Dabbagui  
2433 Sky Harbor Dr  
Plano, TX 75025

From: Oklahoma City Area Office  
215 Dean A. McGee Avenue  
Suite 524  
Oklahoma City, OK 73102



*On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

564-2016-00002

Rafael Tirado,  
Investigator

(405) 231-5857

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

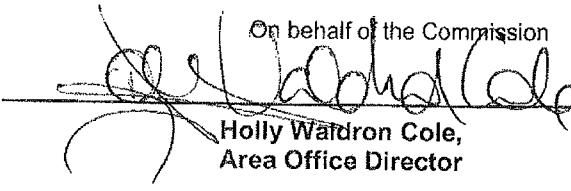
(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible**.

Enclosures(s)

On behalf of the Commission

  
 Holly Waldron Cole,  
Area Office Director

6-27-16

(Date Mailed)

cc:

Nora Polanis  
Manager - Employee Relations  
HALLIBURTON  
3000 N. Sam Houston Pkwy E.  
Plaza2- 1513  
Houston, TX 77032

Enclosure with EEOC  
Form 161 (11/09)

## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment; back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***

